

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

James Porter et al.

Plaintiff(s),

v.

Tesla, Inc.

Defendant(s).

Case No. 4:23-cv-03878-YGR

**APPLICATION FOR ADMISSION OF  
ATTORNEY PRO HAC VICE  
(CIVIL LOCAL RULE 11-3)**

I, Brian M. Ercole, an active member in good standing of the bar of Pennsylvania, New Jersey & Florida, hereby respectfully apply for admission to practice pro hac vice in the Northern District of California representing: Tesla, Inc. in the above-entitled action. My local co-counsel in this case is David L. Schrader, an attorney who is a member of the bar of this Court in good standing and who maintains an office within the State of California. Local co-counsel's bar number is: 149638.

600 Brickell Ave, Ste 1600, Miami, FL 33131

MY ADDRESS OF RECORD

1.305.415.3000

MY TELEPHONE # OF RECORD

brian.ercole@morganlewis.com

MY EMAIL ADDRESS OF RECORD

300 S. Grand Ave, Los Angeles, CA 90071

LOCAL CO-COUNSEL'S ADDRESS OF RECORD

1.213.612.2500

LOCAL CO-COUNSEL'S TELEPHONE # OF RECORD

david.schrader@morganlewis.com

LOCAL CO-COUNSEL'S EMAIL ADDRESS OF RECORD

I am an active member in good standing of a United States Court or of the highest court of a nother State or the District of Columbia, as indicated above; my bar number is: 0102189 (Florida) 038692003 (New Jersey), 91591 (Pennsylvania).

A true and correct copy of a certificate of good standing or equivalent official document fr om said bar is attached to this application.

I have been granted pro hac vice admission by the Court twice in the 12 months preceding this application.

I agree to familiarize myself with, and abide by, the Local Rules of this Court, especially the Standards of Professional Conduct for attorneys and the Alternative Dispute Resolution Local Rules. I declare under penalty of perjury that the foregoing is true and correct.

Dated: October 6, 2023

Brian M. Ercole

APPLICANT

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ORDER GRANTING APPLICATION

FOR ADMISSION OF ATTORNEY PRO HAC VICE

IT IS HEREBY ORDERED THAT the application of Brian M. Ercole is granted, subject to the terms and conditions of Civil L.R. 11-3. All papers filed by the attorney must indicate appearance pro hac vice. Service of papers upon, and communication with, local co-counsel designated in the application will constitute notice to the party.

Dated: \_\_\_\_\_

\_\_\_\_\_  
UNITED STATES DISTRICT/MAGISTRATE JUDGE



# The Florida Bar

651 East Jefferson Street  
Tallahassee, FL 32399-2300

Joshua E. Doyle  
Executive Director

850/561-5600  
[www.FLORIDABAR.org](http://www.FLORIDABAR.org)

State of Florida     )  
County of Leon     )

In Re: 0102189  
Brian Michael Ercole  
Morgan Lewis & Bockius LLP 600 Brickell Ave  
Ste 1600  
Miami, FL 33131-3075

## I CERTIFY THE FOLLOWING:

I am the custodian of membership records of The Florida Bar.

Membership records of The Florida Bar indicate that The Florida Bar member listed above was admitted to practice law in the state of Florida on **March 15, 2013**.

The Florida Bar member above is an active member in good standing of The Florida Bar who is eligible to practice law in the state of Florida.

Dated this 22nd day of **August, 2023**.

Cynthia B. Jackson, CFO  
Administration Division  
The Florida Bar

PG:R10  
CTM-243193





**Supreme Court of Pennsylvania**

**CERTIFICATE OF GOOD STANDING**

***Brian Michael Ercole, Esq.***

**DATE OF ADMISSION**

***November 6, 2003***

The above named attorney was duly admitted to the bar of the Commonwealth of Pennsylvania, and is now a qualified member in good standing.



**Witness my hand and official seal**

**Dated: August 24, 2023**

A handwritten signature in cursive script, reading "Patricia A. Johnson".

Patricia A. Johnson  
Chief Clerk



## Supreme Court of Pennsylvania

Eastern District

Phoenicia D. W. Wallace, Esq.  
Deputy Prothonotary  
Patricia A. Johnson  
Chief Clerk

468 City Hall  
Philadelphia, PA 19107  
(215) 560-6370  
[www.pacourts.us](http://www.pacourts.us)

August 24, 2023

Brian Michael Ercole, Esq.  
Morgan, Lewis & Bockius LLP  
600 Brickell Ave Ste 1600  
Miami, FL 33131-3075

RE: **Certificate of Good Standing**

Dear Attorney Ercole:

Enclosed is your Certificate of Good Standing confirming that you are an active member in good standing of the Bar of the Supreme Court of Pennsylvania.

In addition, enclosed is your Receipt Number(s) 2023-SUP-E-001052 showing payment in the amount of \$25.00.

Very truly yours,

Office of the Prothonotary

/ko  
Enclosure

# Supreme Court of New Jersey



## Certificate of Good Standing

*This is to certify that* **Brian Michael Ercole**  
(No. **038692003**) *was constituted and appointed an Attorney at Law of New Jersey on* **June 11, 2004** *and, as such, has been admitted to practice before the Supreme Court and all other courts of this State as an Attorney at Law, according to its laws, rules, and customs.*

*I further certify that as of this date, the above-named is an Attorney at Law in Good Standing. For the purpose of this Certificate, an attorney is in "Good Standing" if the Court's records reflect that the attorney: 1) is current with all assessments imposed as a part of the filing of the annual Attorney Registration Statement, including, but not limited to, all obligations to the New Jersey Lawyers' Fund for Client Protection; 2) is not suspended or disbarred from the practice of law; 3) has not resigned from the Bar of this State; and 4) has not been transferred to Disability Inactive status pursuant to Rule 1:20-12.*

*Please note that this Certificate does not constitute confirmation of an attorney's satisfaction of the administrative requirements of Rule 1:21-1(a) for eligibility to practice law in this State.*

*In testimony whereof, I have  
hereunto set my hand and  
affixed the Seal of the  
Supreme Court, at Trenton, this  
30th day of August, 2023.*



*Heather J. Baker*  
Clerk of the Supreme Court



**BRIAN ERCOLE****-COURT ADMISSIONS-**

**ADMITTED TO THE FLORIDA BAR: 03/15/2013**  
**BAR NO. 0102189**

<b>COURT</b>	<b>STATUS</b>	<b>DATE ADMITTED</b>
U.S.D.C., Southern District of Florida	Active	08/16/2013
U.S.D.C., Middle District of Florida	Active	06/26/2014
Pennsylvania Bar	Active	11/6/2003 Bar No. 91591
USDC, Eastern District of Pennsylvania	Active	08/26/2008
New Jersey Bar	Active	6/11/2004 Bar No. 038692003
US Court of Appeals, 1st Cir.	Active	05/29/2014
US Court of Appeals, 3rd Cir.	Active	09/26/2014
US Court of Appeals, 5th Cir.	Active	10/22/2015
US Court of Appeals, 6th Cir.	Active	11/29/2018
US Court of Appeals, 10th Cir.	Active	05/07/2007
US Court of Appeals, 11th Cir.	Active	03/28/2014